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Name: Examiner Phi D. A Group Art Unit 3637
Fax Number: 703-746-3830
Date: January 13, 2004
Re: Serial No. 09/993,969, Filed November 14, 2001
From: Alan F. Meckstroth Fax No.: (937) 298-7418

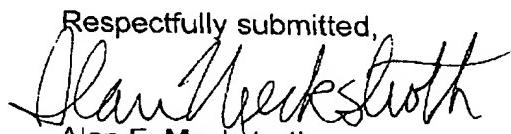
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Dear Mr. Phi D. A:

Independent claims 32 and 35 are the rejected independent claims in the above application. We propose amending these two claims as shown on the following sheets to clarify applicants' patio door assembly structure and distinguish further between applicants' structure and the door and frame assemblies disclosed in Novak et al '223 and Yane '947. We respectfully submit that the proposed amendments to claims 32 and 35 should place the claims in condition for allowance for the reasons which follow the claims.

Please call by Friday, January 16, 2004 and after you have had a chance to review the following pages. Applicants desire to avoid an appeal.

Respectfully submitted,

Alan F. Meckstroth
Reg. No. 22,607
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32. (currently amended) A patio door assembly comprising a rectangular main frame including a pair of vertical jamb members rigidly connected by a top head member and a bottom sill member, said main frame further including a vertical astragal member spaced between said jamb members and rigidly connected to said head and sill members, a first door panel within said main frame and including a rectangular door panel frame supporting a glass panel, a second door panel within said main frame and including a rectangular door panel frame supporting a glass panel, said astragal member and each of said door panel frames and said members of said main frame comprising extrusions of rigid plastics material, said main frame and each of said door panel frames having welded mitered corner joints, a hinge having an inactive leaf secured to said main frame and an active leaf secured to said frame of said second door panel, said first door panel frame having spaced inner walls defining a peripherally extending and laterally outwardly facing external groove, and a rigid spacer member confined within said groove and extending completely around said rectangular door panel frame.

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35. (currently amended) In a patio door assembly including a rectangular main frame having a pair of vertical jamb members rigidly connected by a top head member and a bottom sill member, a separate vertical astragal member spaced between said jamb members and rigidly connected to said head and sill members, a first door panel within said main frame, said first door panel including a rectangular door panel frame supporting a glass panel, a swinging second door panel within said main frame, said second door panel including a rectangular door panel frame supporting a glass panel, said astragal member and each of said door panel frames and said members of said main frame comprising extrusions of rigid plastics material, and said main frame and each of said door panel frames having welded mitered corner joints, the improvement wherein each of said rectangular door panel frames includes elongated door frame members each having parallel spaced outer side walls and inner walls spaced substantially parallel to said outer side walls, a first plurality of spaced internal walls extending laterally between said outer side walls and said inner walls of each said door frame member and integrally connecting said outer side walls to said inner walls, a second plurality of spaced internal walls extending laterally between said inner walls of each said door frame member and integrally connecting said inner walls, said outer and inner side walls and said first and second plurality of internal walls of each said rectangular door panel frame extending completely around the corresponding said glass panel, a hinge having an inactive leaf secured by threaded fasteners to said astragal member, and said hinge having an active leaf secured by threaded fasteners threaded into said internal walls of an adjacent said frame member of said second door panel.

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REASONS FOR ALLOWABILITY

In reference to amended claim 32, the rectangular frame 78 of applicants' fixed or first door panel 70 (FIG. 3) includes plastics extrusions enclosing a glass panel 80 and having a peripherally extending and laterally outwardly facing external groove 95. A rigid spacer member 128 is confined within the groove and extends completely around the door panel frame. The spacer member precisely and uniformly positions the fixed door panel 70 between the head and sill members (14 & 16) and between the vertical jamb member 18 and astragal member 50, as stated at the top of page 7. In addition, the spacer member closes the gap surrounding the door frame 78. Novak et al '223 discloses in FIG. 4 a solid door 12 and solid fixed side lites 64 & 66, and the vertical jamb 56 & 62 of the main outer frame (FIG. 3) have vertical grooves which receive projecting ribs of vertical brick moldings 84. Novak et al '223 in no way suggests a reconstruction of door assembly disclosed in Yane '947 to arrive at applicants' door assembly as set forth in claim 32.

With respect to amended claim 35, each of applicants' rectangular door panel frames 78 (FIG. 5) encloses a glass panel 80 and has parallel spaced outer side walls 82 & 83 and inner walls 86, and laterally extending inner walls 88, 91 & 92 integrally connecting the side walls 82 and inner walls 86. The outer and inner walls 82 & 86 and the internal walls 91 & 92 extend completely around the glass panel 80, and the active leaf 117 of the hinge 115 is secured by threaded fasteners 66 to the laterally extending internal walls 88 of the adjacent frame member of the swinging door panel 75. While the fixed vertical jambs (56, 58, 60 , 62) of Novak et al '223 (FIG. 4) have parallel spaced walls integrally connected by internal walls, there is no teaching in Novak et al for reconstructing the rectangular solid door panel frames disclosed in Yane '947 to arrive at applicants' door assembly, as set forth in claim 35. As mentioned above, Novak et al '223 discloses a solid door 12 and solid side lites 64 & 66.